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DEPARTMENT OF
UTILITIES
ENGINEERING SERVICES

CITY OF SACRAMENTO
CALIFORNIA

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February 21, 1997

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: COMBINED SEWER SYSTEM REHABILITATION AND IMPROVEMENT PLAN - CERTIFICATION OF THE COMBINED SEWER SYSTEM ENVIRONMENTAL IMPACT REPORT, ADOPTION OF THE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTION OF THE MITIGATION MONITORING PLAN (PN: XD43), TRANSFER FUNDS, AND ADOPTION OF SPECIFICATIONS AND AWARD OF PROCUREMENT CONTRACTS FOR BID NO. 1733 AND BID NO. 1734 FOR THE SUMP 1/1A/PIONEER RESERVOIR REHABILITATION AND IMPROVEMENT PROJECT (PN: XM23)

LOCATION AND COUNCIL DISTRICT: Combined Sewer System Districts 1,3,4, and 5. The Sump 1/1A/Pioneer Project is part of the Combined Sewer System and is located at U and Front Streets in District 4.

RECOMMENDATION:

Staff recommends that the City Council adopt the attached resolution that:

1. Certifies the Environmental Impact Report, adopts the Findings of Fact and Statement of Overriding Considerations, and adopts the Mitigation Monitoring Plan.
2. Transfers \$400,000 from Combined Sewer System Reserve (PN: XD42) to the Sump 1/1A, Pioneer Reservoir Project (PN: XM23).



City Council
February 21, 1997
EIR, Bid No. 1733/1734

3. Adopts Specifications and Award Procurement Contracts for the Sump 1/1A/Pioneer Reservoir Project (PN: XM23) for a total of \$387,801.

CONTACT PERSONS: Gary A. Reents, Division Manager, 433-6638
Rick Batha, Senior Engineer, 433-6625

FOR COUNCIL MEETING OF: March 11, 1997

SUMMARY

The City completed and circulated the Combined Sewer System Draft Environmental Impact Report (DEIR) for a initial 45-day public review and comment period that began on November 8, 1996, and closed on December 23, 1996. The City prepared responses to all comments received, which are located in the Final Environmental Impact Report. Additionally, as a first step of the Sump 1/1A project proposes to award a procurement contract for mechanical and electrical equipment. Lastly, transfer of funding from Combined Sewer System Reserve to the Sump 1/1A, Pioneer Reservoir Project is requested.

BACKGROUND INFORMATION

In June 1990, the Regional Water Quality Control Board (RWQCB) issued a Cease and Desist Order requiring the City to eliminate outflows from the Combined Sewer System (CSS). The City responded by preparing a plan to address their concern. In July 1995, Council authorized the Department of Utilities to submit the Combined System Improvement Plan to the RWQCB. In March 1996, the RWQCB rescinded the Cease and Desist Order based upon the City's Combined Sewer System Improvement Plan.

The City Council directed staff to undertake and complete the environmental review for the Combined Sewer System project in November 1995. The City completed and circulated the Combined Sewer System Draft Environmental Impact Report (DEIR) on November 8, 1996. The initial 45-day public review and comment period began on November 8, 1996 and closed on December 23, 1996. Following close of the DEIR comment period, the City prepared responses to all comments received. The responses to comments are located in the Final Environmental Impact Report.

Part of the CSS Improvement Plan consists of rehabilitation and improvement of Sump 1/1A and Pioneer Reservoir. In July 1996 Council authorized HDR Engineering to provide engineering design services for Sump 1/1A and Pioneer Reservoir Improvements (PN: XM23). The design was completed in January 1997; and in order for the majority of construction to occur during dry weather 1997, several pieces of equipment that have long lead times for delivery were identified for purchase. The equipment includes the engine powered standby generator and electrical switchgear, motor control center, and variable frequency drive equipment. The Sump 1/1A and Pioneer Reservoir Improvement project was advertised for bids in January 1997.

FINANCIAL CONSIDERATIONS

The contract amount for the procurement of the engine powered standby generator, electrical switchgear, motor control center, and variable frequency drive equipment for Sump 1/1A and Pioneer Reservoir Project (PN: XM23) is a total of \$387,801. Staff recommends that the FY97 Capital Improvement Program be amended to transfer the amount of \$400,000 to Sump 1/1A, Pioneer Reservoir Improvement (414/425-500-XM23-4630) from the Combined System Reserve (414/425-500-XD42-4414), which has unobligated appropriations of \$17,997,415 as of February 21, 1997. The funding transfer will conform to current funding requirements of 25% Sewer funding and 75% Storm Drainage funding.

ENVIRONMENTAL CONSIDERATIONS

The Combined Sewer System EIR evaluated environmental impacts of the proposed project and two alternatives: 1) No Project Alternative, and 2) Sewer Separation Alternative. The No Project Alternative is required under CEQA and assumes existing conditions with no capacity improvements to the combined sewer system. The Sewer Separation Alternative assumed that an entirely separate sewer system would be constructed. The proposed Combined Sewer System Improvement Plan was considered to be the environmentally superior alternative.

The EIR concluded that the Improvement Plan would result in one significant avoidable impact and three significant unavoidable impacts. The EIR found that the Improvement Plan would result in a potentially significant avoidable impact to subsurface prehistoric resources during excavation. The EIR identified a mitigation measure to reduce this impact below a level of significance. The EIR also found that the Improvement Plan would result in the following significant unavoidable impacts: (1) loss of historic brick sewers, (2) increased cumulative loss of cultural resources, and (3) cumulative mercury loading in the Sacramento River.

The detailed analysis of environmental impacts resulting from the Improvement Plan can be found in the: (1) Combined Sewer System Rehabilitation and Improvement Plan Draft EIR, and (2) Combined Sewer System Rehabilitation and Improvement Plan Final EIR.

POLICY CONSIDERATIONS

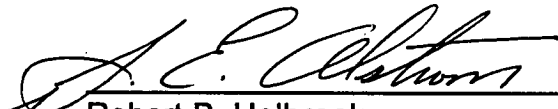
The Combined Sewer System Improvement Plan and EIR is consistent with past Council direction and satisfies requirements of the National Pollutant & Discharge Elimination System permit issued to the City by the California Regional Water Quality Control Board. The recommendation for award of procurement contracts is consistent with the requirements for competitive bidding as detailed in Title 57 of the Sacramento City Code.

MBE/WBE EFFORTS

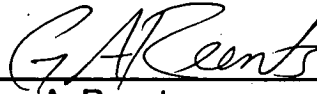
Bid No. 1733 - Requests for bid (RFB) were sent to nine (9) Contractors. No MBE/WBE firms could be found that were capable of supplying a generator of the type, size and capacity required. Of the two (2) bids received, neither was from a MBE/WBE firm.

Bid No. 1734 - Requests for bid (RFB) were sent to thirty-one (31) Contractors, eighteen (18) of which were MBE/WBE firms. Of the five (5) bids received, none were from MBE/WBE firms.

Respectfully Submitted,

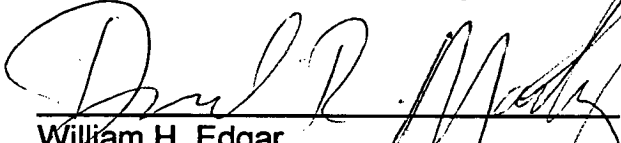


Robert B. Holbrook,
Procurement Services Manager



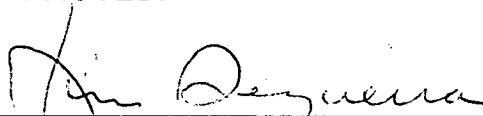
Gary A. Reents,
Engineering Division Manager

RECOMMENDATION APPROVED:



William H. Edgar
City Manager

APPROVED:



James G. Sequeira
Director of Utilities

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

CERTIFICATION OF THE COMBINED SEWER SYSTEM ENVIRONMENTAL IMPACT REPORT, ADOPTION OF THE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTION OF THE MITIGATION MONITORING PLAN (PN: XM41), TRANSFER FUNDS, AND ADOPTION OF SPECIFICATIONS AND AWARD OF PROCUREMENT CONTRACTS FOR SUMP 1/1A, PIONEER RESERVOIR PROJECT (PN: XM23)

The City Council the City of Sacramento does hereby find, determine, and resolve as follows:

1. The City Council finds that the Final Environmental Impact Report (herein FEIR) for the proposed Combined Sewer System Rehabilitation and Improvement Plan which consists of the Draft Environmental Impact Report and Final Environmental Impact Report, has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Sacramento Local Environmental Procedures.
2. The City Council certifies that the FEIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines, and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective, and complete Final Environmental Impact Report in accordance with the requirements of CEQA, the State CEQA Guidelines, and the Sacramento Local Environmental Procedures.
3. The City Council certifies that the FEIR has been presented to it and that the City Council has reviewed it and considered the information contained therein prior to acting on the proposed project.

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

4. The City Council hereby adopts the attached Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring Plan to require all reasonably feasible mitigation measures be implemented.

5. Funds in the amount of \$400,000 are transferred from the Combined Sewer System Reserve to the Sump 1/1A, Pioneer Reservoir Project as follows:

414-500-XD42-4414: (\$100,000)

414-500-XM23-4630: \$100,000

425-500-XD42-4414: (\$300,000)

425-500-XM23-4630: \$300,000

6. Adoption of Specifications and Award of:

A. Bid No. 1733, Engine Powered Standby Generator, the total amount of \$196,937.87 to Tenco Tractor, Inc.

B. Bid No. 1734, Electrical Switchgear, Motor Control Center, and Variable Frequency Drive Equipment, in the total amount of \$190,863.16 to Platt Electric Supply, Inc.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

COMBINED SEWER SYS RESERVE

Location
City Wide

PROJECT#: XD42

FY Initiated: 94/95

Council District:

☒ Citywide ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8

Neighborhood Area:

☒ Citywide ☐ NA1 ☐ NA2 ☐ NA3 ☐ NA4

Planning Area:

☐ N/A ☐ Citywide ☐ PA1 ☐ PA2 ☐ PA3 ☐ PA4 ☐ PA5 ☐ PA6 ☐ PA7 ☐ PA8 ☐ PA9 ☐ PA10 ☐ PA11

Project Description

Reserve to accumulate resources for the combined sewer system rehabilitation.

Project Objectives

To accumulate funding from current resources in excess of operations and capital improvement requirements in order to minimize future rate increases for the combined sewer system rehabilitation.

Existing Situation

The City faces substantial outlays in future years for capital improvement construction on the combined sewer system. Appropriations for that construction are now being accumulated in this project.

Operating Budget Impact

None

Amended	Fund Source	Budget through 6/96	Estimated Balance 6/96	Five Year Funding				
				1996-97	1997-98	1998-99	1999-00	2000-01
	Sewer	1,747,423	1,747,423	0	0	0	0	0
	Drainage	9,708,591	9,708,591	0	0	0	0	0
07/02/96	Drainage	0	0	-210,000	0	0	0	0
07/02/96	Sewer	0	0	-70,000	0	0	0	0
07/02/96	Sewer	0	0	-200,000	0	0	0	0
07/02/96	Drainage	0	0	-600,000	0	0	0	0
07/02/96	Sewer	0	0	-68,487	0	0	0	0
07/02/96	Drainage	0	0	-205,459	0	0	0	0
08/13/96	Drainage	0	0	-45,000	0	0	0	0
08/13/96	Sewer	0	0	-15,000	0	0	0	0
07/12/96	Sewer	0	0	-27,500	0	0	0	0
07/12/96	Drainage	0	0	-82,500	0	0	0	0
07/12/96	Drainage	0	0	-15,000	0	0	0	0
08/22/96	Sewer	0	0	-6,250	0	0	0	0
08/22/96	Drainage	0	0	-18,750	0	0	0	0
09/24/96	Sewer	0	0	-44,750	0	0	0	0
09/24/96	Drainage	0	0	-134,250	0	0	0	0
1/28/97	Sewer	0	0	-303,625	0	0	0	0
1/28/97	Drainage	0	0	-910,875	0	0	0	0
2/04/97	Sewer	0	0	-260,000	0	0	0	0
2/04/97	Drainage	0	0	-780,000	0	0	0	0
2/04/97	Sewer	0	0	-125,000	0	0	0	0
2/04/97	Drainage	0	0	-375,000	0	0	0	0
2/18/97	Sewer	0	0	-60,000	0	0	0	0



1996-2001 CAPITAL IMPROVEMENT PROGRAM

CITY OF SACRAMENTO

SEWER

2/18/97	Drainage	0	0	-180,000	0	0	0	0
3/11/97	Sewer	0	0	-100,000	0	0	0	0
3/11/97	Drainage	0	0	-300,000	0	0	0	0
2/11/97	Drainage	0	0	10,000,000	0	0	0	0
TOTAL		11,456,014	11,456,014	4,862,554	0	0	0	0



1996-2001 CAPITAL IMPROVEMENT PROGRAM

COMBINED SEWER SYS RESERVE

Project #:

XD42

Additional Project Comments

Transferred to XD41: Sewer - 70,000; Drainage - 210,000
Transferred to XM23: Sewer - 200,000; Drainage - 600,000
Transferred to TM61: Sewer - 68,847; Drainage - 205,459
Transferred to XM04: Sewer - 27,500; Drainage - 82,500
Transferred to XM05: Sewer - 15,000; Drainage - 45,000
Transferred to WC61: Sewer - 0; Drainage - 15,000
Transferred to XD43: Sewer - 6,250; Drainage - 18,750 8/22/96
Transferred to XM07: Sewer - 44,750; Drainage - 134,250, 9/24/96
Transferred to XD91: Sewer - 303,625; Drainage - 910,875; approved 1/28/97
Transferred to XM23: Sewer - 49,234; Drainage - 147,703, 1/14/97
Transferred to XM24: Sewer - 260,000; Drainage - 780,000, approved 2/4/97
Transferred to XD41: Sewer - 125,000; Drainage - 375,000 approved 2/4/97
Transferred to XM23: Sewer - 60,000; Drainage - 180,000; approved 2/18/97
Transferred from fund balance: Drainage - 10,000,000; approved 2/11/97 (midyear review)
Transferred to XM23: Sewer - 100,000; Drainage - 300,000; approved 3/11/97



SUMP 1/1A, PIONEER RESERV**Location**

Sump 1/1a, Pioneer Reservoir, U & Front St.

PROJECT#: XM23

FY Initiated: 96/97

Council District:☐ Citywide ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8**Neighborhood Area:**☐ Citywide ☐ NA1 ☒ NA2 ☐ NA3 ☐ NA4**Planning Area:**☐ N/A ☐ Citywide ☐ PA1 ☐ PA2 ☐ PA3 ☐ PA4 ☐ PA5 ☐ PA6 ☐ PA7 ☐ PA8 ☐ PA9 ☐ PA10 ☐ PA11**Project Description**

Provide engineering design services for rehabilitation and improvement of Sump 1, Sump 1A, and Pioneer Reservoir. Design will include the construction of a model of the pumping station to determine the optimum size of the pumps.

Project Objectives

To complete rehabilitation and improvements to address outflows from the combined sewer system.

Existing Situation

In June 1990 the Regional Water Quality Control Board issued a Cease and Desist Order requiring the City to eliminate outflows from the Combined Sewer System. A preliminary design report recommended specific rehabilitation and improvement items for Sump 1/1A and Pioneer Reservoir.

Operating Budget Impact

None

ended	Fund Source	Budget through 6/96	Estimated Balance 6/96	Five Year Funding				
				1996-97	1997-98	1998-99	1999-00	2000-01
07/02/97	Sewer	0	0	200,000	0	0	0	0
07/02/97	Drainage	0	0	600,000	0	0	0	0
02/18/97	Sewer	0	0	60,000	0	0	0	0
02/18/97	Drainage	0	0	180,000	0	0	0	0
01/14/97	Sewer	0	0	49,234	0	0	0	0
01/14/97	Drainage	0	0	147,703	0	0	0	0
03/11/97	Sewer	0	0	100,000	0	0	0	0
03/11/97	Drainage	0	0	300,000	0	0	0	0
	TOTAL	0	0	1,636,937	0	0	0	0



**CEQA STATEMENT OF FINDINGS OF FACT
AND
STATEMENT OF OVERRIDING CONSIDERATIONS**

FOR
COMBINED SEWER SYSTEM EIR (XD41)
(State Clearinghouse Number 96082013)

Prepared By:

City of Sacramento Planning Services Division,
Environmental Section
March 11, 1997

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
PROPOSED COMBINED SEWER SYSTEM PROJECT

The City Council of the City of Sacramento does hereby find, determine, and resolve as follows:

I. CEQA FINDINGS

1. The City Council finds that the Environmental Impact Report for the Proposed Combined Sewer System Project (herein EIR) which consists of the Draft Environmental Impact Report and Final EIR Response to Comments have been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
2. The City Council certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
3. The City Council certifies that the EIR has been presented to it and that the City Council has reviewed it and considered the information contained therein prior to acting on the proposed project.
4. The City Council hereby adopts the attached Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring Program to require all feasible mitigation measures be implemented.

II. PROCEDURAL FINDINGS

1. The City of Sacramento caused an Environmental Impact Report ("EIR") on the Project to be prepared pursuant to the California Environmental Quality Act, Public Resources Code, Section 21000 et seq. (CEQA), the CEQA Guidelines, Code of California Regulations, Title XIV, Section 15000 et seq., and the City of Sacramento environmental guidelines.
2. A Notice of Preparation of the draft EIR was filed with the Office of Planning and Research on August 6, 1996.
3. A Notice of Completion (NOC) and copies of the draft EIR were distributed to the State Clearinghouse on November 8, 1996, to those public agencies which have jurisdiction by law with respect to the Project and to other interested parties and agencies. The comments of such persons and agencies were sought.
4. An official forty-five (45) day public review period for the Draft EIR was established by the State Clearinghouse. It began on November 8, 1996 and ended on December 23, 1997.
5. A Letter of Availability was distributed to all responsible and trustee agencies and interested groups, organizations, and individuals on November 8, 1996. The Letter of Availability stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City of Sacramento,

Department of Planning and Development, Environmental Services Division, 1231 I Street, Sacramento, California 95814. The letter also indicated that the official forty-five day public review period for the Draft EIR would end on December 23, 1996.

6. Following closure of the public comment period, the Draft EIR was supplemented to incorporate comments received and the City's responses to said comments.
7. Following notice duly and regularly given as required by law, and all interested parties expressing a desire to comment thereon or object thereto having been heard, the EIR and comments and responses thereto having been considered, the City Council makes the following determinations:
 - A. The EIR consists of the Draft EIR and Final EIR Responses to Comments.
 - B. The EIR was prepared and completed in compliance with CEQA.
8. The following information is incorporated by reference and made part of the record supporting these findings:
 - A. The Draft EIR and Final EIR and all documents relied upon or incorporated by reference including:
 - City of Sacramento General Plan, City of Sacramento, January, 1988
 - Draft Environmental Impact Report City of Sacramento General Plan Update, City of Sacramento, March, 1987
 - Land Use Planning Policy Within the 100-Year Floodplain in the City and County of Sacramento Final EIR (M89-054), City of Sacramento, February 6, 1990
 - Findings of Fact/Statement of Overriding Considerations for the Land Use Planning Policy Within the 100-Year Floodplain in the City and County of Sacramento, City of Sacramento, February 6, 1990
 - Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update, City of Sacramento, 1988
 - Central City Community Plan, City of Sacramento, May 15, 1980.
 - Design and Procedures Manual and Improvement Standards, City of Sacramento, Department of Public Works, September 1, 1990.
 - Zoning Ordinance, City of Sacramento, Revised July 1994.
 - B. The Mitigation Monitoring Plan dated March 1997.
 - C. Testimony, documentary evidence and all correspondence submitted or delivered to the City in connection with the City Council hearing on this project and associated EIR.

- D. All staff reports, memoranda, maps, letters, minutes of meetings and other documents relied upon or prepared by City staff relating to the project including but not limited to City of Sacramento General Plan and the draft and final Environmental Impact Report for the City of Sacramento General Plan Update.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED COMBINED SEWER SYSTEM.

The Environmental Impact Report prepared in compliance with the California Environmental Quality Act, evaluates the potentially significant and significant adverse environmental impacts which could result from adoption of the project or alternatives to the project.

Because the EIR indicates the implementation of the project (or project alternatives) would result in certain unavoidable adverse impacts, the City is required under CEQA, and the State and City guidelines adopted pursuant thereto, to make certain findings with respect to these impacts. The required findings appear in the following sections of this document. This document lists all identified potentially significant and significant impacts of the project. Each of the potentially significant or significant impacts found to be unavoidable is considered acceptable by the City Council based on a determination that the benefits of the project (listed in the Statement of Overriding Considerations, section VII) outweigh the risks of the potentially significant environmental effects of the project.

I. IMPACTS AND MITIGATION MEASURES

A. SIGNIFICANT IMPACTS WHICH CAN BE AVOIDED

Finding - As authorized by Public Resources Code Section 21081 and Title 14, California Code of Regulations, Sections 15091, 15092, and 15093, the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental impacts listed below, as identified in the EIR.

These findings are supported by substantial evidence in the record of proceedings before the City as stated below.

1. Cultural Resources (7.4-1 Subsurface Prehistoric Resources (Phase 1))

a. Significant Impact

1. Implementation of Phase 1 of the CSS Plan could result in the discovery of unknown subsurface prehistoric resources or portions of known prehistoric resources during project excavation. Although the likelihood for the occurrence of subsurface resources is quite low, the possibility for such a discovery does exist. Cultural resources exposed during construction, excavation, or related project activities could be damaged, destroyed, or removed from their cultural context.

b. Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measure:

Mitigation Measure 7.4-1

1. An archeological monitor shall be retained to oversee any subsurface work occurring in the immediate vicinity of the six recorded prehistoric sites. A confidential map with the locations of these sites will be on file with the Project Manager or other appropriate individual, who will arrange to have the monitor present for the areas deemed sensitive. The areas monitored as well as the remainder of the construction shall be subject to the conditions below.

In the event of the discovery of any subsurface archeological artifact, feature or deposit during construction activities, work within 100 feet of the find shall be halted, and an archeologist will be contacted for an in-field evaluation.

If the resource is determined to be significant, an appropriate plan for resource preservation or site excavation must be developed and implemented.

If bone is found that appears to be human, work within 100 feet of the find shall be halted, and the Sacramento County Coroner must be contacted. If the remains are determined to be of Native American origin, the Coroner shall notify the Native American Heritage Commission (NAHC). The NAHC shall determine the "most likely descendant", who will work to develop a plan for the area of the finding. Construction work shall remain halted in the vicinity of the discovery until the plan can be implemented.

2. Cultural Resources (7.4-6 Subsurface Prehistoric Resources (Phase 2))

a. Significant Impact

1. Implementation of Phase 2 could result in the discovery of unknown subsurface prehistoric resources or portions of the known prehistoric resources during project excavation for underground storage facilities at UCDCMC, UPR or other sites not identified. Although the likelihood for the occurrence of subsurface resources is quite low, the possibility for such a discovery does exist. Cultural resources exposed during construction, excavation, or other related project activities could be damaged, destroyed, or removed from their cultural context.

b. Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

1. Implement Mitigation Measure 7.4-1.

B. SIGNIFICANT IMPACTS WHICH CANNOT BE AVOIDED

Finding - The City finds that, where feasible, changes or alterations have been required in, or incorporated into, the Project which reduce the significant environmental impacts listed below as identified in the EIR. However, specific economic, social, or other considerations make infeasible mitigation measures or project alternatives to reduce the following impacts to a less-than-significant level. This finding is supported by evidence in the record of the proceeding before the City including the draft and final EIR prepared for this project and the General Plan for the City of Sacramento and the associated EIR.

1. Cultural Resources (7.4-5 Historic Structure--Sewers (Phase 1 and Phase 2))

a. Significant Impact

1. Implementation of Phase 1 would result in the replacement of the sewer system for public health and safety reasons (see Project Description, page 4-17 and 4-27). Since the sewers are between 80 and 100 years old, exceeding the 45 year criterion established by the SHPO, they are potentially eligible for the National Register of Historic Places under criterion A, as they "are associated with events that have made a significant contribution to the broad patterns of our history," so that replacement of the sewers would be considered a significant impact. The oldest sewers are located in the downtown area and most of the City's original sewers were constructed of brick. As mentioned earlier, the achievements of the nineteenth century created sewer systems that are still in use today in downtown Sacramento. The invention of large glazed drains, brick sewers and cast iron pipes made possible the conveyance and disposal of sewage. Similarly, under CEQA and California Register criteria, these resources could be considered an important resource under criterion C, as potentially the last surviving example of their kind.

b. Facts in Support of Finding

The impacts will be reduced to the extent feasible with the following mitigation measures identified in the EIR and incorporated into the Project. The mitigation measures will reduce the magnitude of the impacts, but would not make the impacts less than significant.

1. The City of Sacramento shall document the history of the construction of the sewer system, and record the physical extent, condition and appearance of the extant portions of the early system to determine its historical significance.

2. Cultural Resources (7.4-8 Cumulative Loss of Cultural Resources)

a. Significant Impact

1. As urban development increases throughout the Sacramento General Plan Update (SGPU) Area, prehistoric sites and artifacts may be unearthed and damaged or destroyed. Historical sites and structures may be destroyed to make room for new development. Even if cultural resources are adequately recorded, removal and/or destruction from their place of origin reduces their value as resources. As stated above, the extent of cultural resources in the project area is not fully known, and damage or destruction of such resources can be mitigated on a project-specific basis. However, any loss of cultural resources associated with the proposed project would contribute to a region-wide impact that cannot be remedied.

b. Facts in Support of Finding

The impacts will be reduced to the extent feasible with the following mitigation measures identified in the EIR and incorporated into the Project. The mitigation measures will reduce the magnitude of the impacts, but would not make the impacts less than significant.

1. Implement Mitigation Measure 7.4-1.

3. Water Quality (7.2-5 Cumulative mercury loading in Sacramento River (Phase 1 and Phase 2))

a. Significant Impact

1. Mercury levels and sources in the Sacramento River Watershed have been under study by a number of researchers in recent years. This research has indicated that primary sources of mercury into the Sacramento River include inorganic mercury deposits introduced through gold mining activities in the upper watershed, natural mercury (cinnabar) deposits in the Coast Ranges, mercury in sediments trapped behind dams, mercury in sediments in the stream and river bottoms, and atmospheric deposition. Discharges associated with urban development (e.g., upstream wastewater treatment plants and

stormwater runoff) also contribute to mercury levels in the Sacramento River.

Future urban development within the Sacramento River Watershed could continue to contribute to mercury levels in the Sacramento River. This would continue to adversely affect receiving water quality and limit the River's ability to support its designated beneficial uses, which include municipal, agriculture, recreation, and fish and wildlife habitat.

As described in Impact 7.2-4, mercury-related impacts associated with implementation of the proposed project or its alternatives were found to be less than significant because mercury exceedances occur under existing conditions. It was also determined that none of the alternatives could independently nor in combination achieve an overall reduction in mercury levels in the Sacramento River such that the water quality objective would no longer be exceeded, given the diffuse and varied nature of the sources of mercury in the Sacramento River Watershed.

Regional efforts to address Sacramento River water quality problems include the establishment of the Sacramento River Toxic Pollutant Control Program (Program). A work plan was submitted by the SRCSD to the EPA and was approved in September 1996. The plan describes a regional approach to identifying the causes, effects, and extent of pollution within the Sacramento River, and to formulate an implementable program to prevent, reduce, and eliminate the pollution. Mercury was specifically identified in the work plan as one of several pollutants that would be studied and managed under the program.¹ A number of key federal and State and local public agencies (including the City of Sacramento), private businesses and industries, water districts, and agricultural stakeholders are participating in the Program through establishment of a Coordinated Resource Management and Planning (CRMP) Group. The CRMP Group will address major policy-level issues regarding water quality management in the Sacramento River basin.

As stated above, the CSS would be required to comply with any WDRs issued by the CVRWQCB and the joint NPDES Municipal Stormwater Permit (in the case of the Sewer Separation Alternative), thus ensuring that the CSS's contribution to mercury in the Sacramento River would not increase nor exacerbate the mercury problem. Regulatory requirements similar to those applicable to the

CSS also apply to many other jurisdictions and operations within the Sacramento River Watershed.

Even with implementation of specific mercury-control measures, if any, that could be developed by the City or by the Sacramento River Toxic Pollutant Control Program, the City cannot guarantee that other sources of mercury associated with existing or planned development in other areas in the Sacramento River Watershed would not increase or continue to contribute to mercury levels in the Sacramento River because compliance falls within other jurisdictions to enforce and monitor.

b. Facts in Support of Finding

There are no feasible mitigation measures that will reduce the magnitude of the impacts described above.

II. ALTERNATIVES

CEQA mandates that every EIR evaluate a no-project alternative. Alternatives provide a basis of comparison to the Proposed Project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to determine the most feasible for implementation.

1. No Project Alternative

The No Project Alternative does not include the outflow, local flood or CSO control improvements identified in the CSS Improvement and Rehabilitation Plan, dated July 1995. Under this alternative, the CSS would remain as presently functioning. Any changes to the CSS are purely rehabilitative in nature and consist solely of the rehabilitation items identified in the CSS Plan. This alternative will be the baseline by which the proposed project and other alternatives are measured. It is assumed that implementation of this alternative would result in a permanent CDO and may cause a moratorium on new development within the CSS service area and possibly major fines.

Finding

- A. Selection of the "No-Project" Alternative would not meet the following project objectives:
 - 1. Reduce or eliminate outflows that are considered a possible threat to public health.
 - 2. Reduce and improve the quality of the CSS overflows to the Sacramento River where they are considered a potential threat to the beneficial uses of the receiving waters and the "fishable/swimming" goals of the Federal Clean Water Act.
 - 3. Comply with the requirements of the U.S. Environmental Protection Agency's (EPA) "Combined System Overflow Control Policy", "Nine Minimum Controls", the National Pollution Discharge Elimination System (NPDES) Permit, and the Clean Water Act.
 - 4. Reduce neighborhood street flooding problems where it is economically feasible to do so.
- B. Selection of the "No-Project" Alternative would result in a reinstatement of the Cease and Desist Order from the Regional Water Quality Control Board.
- C. Selection of the "No-Project" alternative would not attain the Sacramento General Plan's goals and policies related to improving the overall quality of life in Sacramento.

- D. Selection of the "No-Project" Alternative would not fulfill Policy 11 of the General Plan related to the provision of adequate public services in existing developed areas.
- E. Selection of the "No Project" Alternative would not fulfill a mitigation measure in the City's General Plan EIR which requires the reconstruction of local drainage facilities.

2. Sewer Separation Alternative (Alternative B)

This alternative would include the construction of a new sanitary sewer system in the CSS service area and conversion of the existing CSS pipelines to a storm drainage system conveying only storm water runoff. It should be noted that the new sanitary sewer system does not meet the project objective of providing an improved level of local flood control for the existing CSS area. The Separate Sanitary Sewer Alternative includes only a minor flood control upgrade beyond the capacity of the existing system. The existing system provides flood control to a 2-year event in most areas. Under this alternative, CSOs are reduced or eliminated and flood control is slightly improved by removing the sewage portion of flow from the conveyance system. This alternative also reduces outflows.

Finding

- A. Selection of the Sewer Separation Alternative would not involve major capacity upgrades to the existing CSS pipelines; therefore, flood control is only slightly improved over the existing system.
- B. Selection of the Sewer Separation Alternative would result in all stormwater being discharged to the Sacramento River without disinfection.

III. STATEMENT OF OVERRIDING CONSIDERATIONS

Notwithstanding disclosure of the significant impacts and the accompanying mitigation, the City has determined pursuant to Section 15093 of the CEQA Guidelines that the benefits of the project as described in the EIR, and as conditioned by the Council, outweigh the adverse impacts, and the proposed project shall be approved.

With reference to the above findings and in recognition of those facts which are included in the record, the City has determined that the proposed project would contribute to environmental impacts which are considered significant and adverse, as disclosed in the EIR prepared for the proposed project.

The City has examined a range of reasonable alternatives to the project. Based on this examination, the City has determined that none of these alternatives meets the project objectives.

The City specifically finds, and therefore makes this Statement of Overriding Considerations, that all significant effects on the environment of the Proposed Project have been eliminated or substantially lessened where feasible. Furthermore, the City finds and determines has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the overriding considerations described below:

- A. Implementation of the Proposed Project will attain the following important objectives:
1. Reduce or eliminate outflows that are considered a possible threat to public health.
 2. Reduce and improve the quality of the CSS overflows to the Sacramento River where they are considered a potential threat to the beneficial uses of the receiving waters and the "fishable/swimming" goals of the Federal Clean Water Act.
 3. Comply with the requirements of the U.S. Environmental Protection Agency's (EPA) "Combined System Overflow Control Policy", "Nine Minimum Controls", the National Pollution Discharge Elimination System (NPDES) Permit, and the Clean Water Act.
 4. Reduce neighborhood street flooding problems where it is economically feasible to do so.
- B. Implementation of the Proposed Project would comply with the Regional Water Quality Control Board's requirements for rescinding the Cease and Desist Order.
- C. Implementation of the Proposed Project will attain the Sacramento General Plan's goals and policies related to improving the overall quality of life in Sacramento.
- D. Implementation of the Proposed Project will fulfill Policy 11 of the General Plan related to the provision of adequate public services in existing developed areas.
- E. Implementation of the Proposed Project will fulfill a mitigation measure in the City's General Plan EIR which requires the reconstruction of local drainage facilities.

MITIGATION MONITORING PLAN
FOR
COMBINED SEWER SYSTEM PROJECT
ENVIRONMENTAL IMPACT REPORT

Prepared By:
City of Sacramento Planning Services Division

Date:
March 11, 1997

Adopted By:
City of Sacramento City Council

Date:

Attest:

City Clerk

CITY OF SACRAMENTO MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan (Plan) has been required by and prepared for the Department of Planning and Development, Environmental Services Division, 1231 I Street, Suite 300, Sacramento, CA 95814, (916) 264-7600, pursuant to CEQA Guidelines Section 21081.

SECTION 1: PROJECT IDENTIFICATION

Project Name and/or File Number: Combined Sewer System Project (XD41)

Applicant - Name: City of Sacramento
Utilities Department

Address: 5770 Freeport Boulevard, Ste. 100
Sacramento, CA 95822

Project Location / Project Description:

The CSS Rehabilitation and Improvement Plan is divided into two phases. Phase 1 includes specific modifications to existing Pump Station 1/1A, Pump Station 2, Pioneer Reservoir and rehabilitation and replacement of portions of the existing underground collection/piping system. Phase 2, while more programmatic in its definition, would involve designing and constructing a combination of facilities including underground storage structures, upsized sewers and sewer replacement. Rehabilitation and replacement of the CSS system would continue during Phase 2.

The primary objective of Phase 1 is to implement project-specific improvements and rehabilitation to the CSS that would assure operating reliability and reduce street flooding in the CSS service area. These improvements would be implemented over the first five years of the Plan. This initial phase involves the two existing Pump Stations (stations 1/1A, 2) since the Pumping Stations are responsible for pumping all CSS wastewater for treatment and disposal. Without the operating reliability of the Pumping Stations, the system could fail and result in flooding and severe outflows. However, increasing Pump Station capacities alone cannot address these issues. It is also necessary to modify Pioneer Reservoir, which would decrease the number and volume of CSOs to the Sacramento River. In addition, since the capacity of the system would be increased, the underground piping system must also be improved. Portions of the piping system are over 100 years old and have structural defects

including cracked pipes, corrosion, deteriorated and missing grout at pipe joints, and root intrusion that can clog sewers and limit hydraulic capacity.

The objective of Phase 2 is to design and construct facilities to alleviate flooding and outflows to local areas. At this time, the combination of facilities needed is unknown. Therefore, these components are evaluated at a more general, programmatic level than Phase 1.

SECTION 2: GENERAL INFORMATION

The project as approved includes the mitigation measures adopted as part of the Findings of Fact for this Project. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Environmental Impact Report (EIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the project applicant.

SECTION 3: MITIGATION MONITORING PLAN

This section describes all adopted mitigation measures, identifies the entity responsible for monitoring the implementation of the measures and the procedures for such monitoring. The measures are identified in accordance with their number in the associated Draft and Final EIR to allow easy reference to the impact discussion for which the mitigation measure has been developed.

CULTURAL RESOURCES

Mitigation

7.4-1 Subsurface Prehistoric Resources (Phase 1)

An archeological monitor shall be retained to oversee any subsurface work occurring in the immediate vicinity of the six recorded prehistoric sites. A confidential map with the locations of these sites will be on file with the Project Manager or other appropriate individual, who will arrange to have the monitor present for the areas deemed sensitive. The areas monitored as well as the remainder of the construction shall be subject to the conditions below.

In the event of the discovery of any subsurface archeological artifact, feature or deposit during construction activities, work within 100 feet of the find

shall be halted, and an archeologist will be contacted for an in-field evaluation.

If the resource is determined to be significant, an appropriate plan for resource preservation or site excavation must be developed and implemented.

If bone is found that appears to be human, work within 100 feet of the find shall be halted, and the Sacramento County Coroner must be contacted. If the remains are determined to be of Native American origin, the Coroner shall notify the Native American Heritage Commission (NAHC). The NAHC shall determine the "most likely descendant", who will work to develop a plan for the area of the finding. Construction work shall remain halted in the vicinity of the discovery until the plan can be implemented.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development
The City of Sacramento, Utilities Department

Monitoring Program:

If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction at the site, work shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

Site inspections by the Utilities Department shall watch for any potential archaeological resources during site visits. A City contact person shall be notified in case of an archaeological discovery. The Utilities Department shall attach this requirement to the approved construction plans and include this measure as a random inspection item on the Special Conditions Attachment.

Mitigation

7.4-5 Historic Structure--Sewers (Phase 1 and Phase 2)

The City of Sacramento shall document the history of the construction of the sewer system, and record the physical extent, condition and appearance of the extant portions of the early system to determine its historical significance.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Utilities Department

The City of Sacramento, Planning and Development Department

Monitoring Program:

The City's Utilities Department is responsible for documenting the history of the construction of the brick sewer system. To date, the Utilities Department has developed a video of the underground brick sewer system as well as a written record of the system. This work has been conducted to comply with the State Section 106 Requirements. The final recordation of the brick sewer system, approved by the State Environmental Protection Agency, shall be filed with the City's Historic Preservation Officer in the Planning and Development Department.

**BID TABULATION SHEET FOR BID NO. 1733-
ENGINE POWERED STANDBY GENERATOR**

<u>Bidders</u>	<u>Terms</u>	<u>1% Local Tax Preference</u>	<u>5% M/WBE Preference</u>	<u>Total Bid (Includes Tax on Materials Only)</u>
Tenco Tractor, Inc.	Net - 30	N/A	No	<u>\$196,937.87⁽¹⁾</u>
Sierra Power Products	Net - 30	N/A	No	\$197,286.38 ⁽¹⁾

⁽¹⁾Amount adjusted due to mathematical error.

Total Award of Contract To: Tenco Tractor, Inc.
3850 Channel Drive
West Sacramento, CA 95691

Original Estimated Cost: \$250,000.00

Using Department: Utilities

Total Bid Amount: \$196,937.87

Due Date: December 11, 1996

Total Amount of Contract: \$196,937.87 (Includes Tax on Materials Only)

<u>Total No. of Bids Solicited</u>	<u>No. of M/WBE Bids Solicited</u>	<u>No. of M/WBE Responses</u>	<u>Award to M/WBE Vendor?</u>
9	0	0	No

**BID TABULATION SHEET FOR
BID NO. 1734 - ELECTRICAL SWITCHGEAR, MOTOR CONTROL CENTER
AND VARIABLE FREQUENCY DRIVE EQUIPMENT**

<u>Bidder</u>	<u>Item No.</u>	<u>Sub-Total</u>	<u>M/WBE</u>	<u>1% Local Tax Preference</u>	<u>Prompt Payment Discount</u>	<u>Net Bid</u>
TESCO Controls	All	\$262,090.00	No	<\$2620.90>	1%/10	\$259,469.10
Universal Wholesale Elec.	All	\$201,102.00	No	No	N-30	\$201,102.00
Graybar Electric	All	\$254,515.00	No	<\$2545.15>	1.5%/20 <\$3817.73>	\$248,152.12
Platt Electric Supply	All	\$177,491.00	No	<\$1774.91>	2%/10	<u>\$175,716.09</u>
Shawnee Electric	All	\$268,090.00	No	No	.5%/20 <\$1340.45>	\$266,749.55

Total Award of Contract To: Platt Electric Supply
1037 West North Market Blvd.
Sacramento, CA 95834

Original Estimated Cost: \$440,000.00

Using Department: Utilities

Total Net Bid Amount: \$175,716.09

Due Date: January 8, 1997

Total Amount of Contract: \$190,863.16 (Includes Tax on Materials Only)

Total No. of Bids Solicited	No. of M/WBE Bids Solicited	No. of M/WBE Responses	Award to M/WBE Vendor?
31	18	0	No

Attachment 4

16

